HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V.NAGARJUNA REDDY

WRIT APPEAL No.605 OF 2007

Between:

Sri Seetha Rama Swamy Devasthanam and another

. . .Appellants

AND

Chirathanagandla Koteswar Rao and others

. . .Respondents

:: JUDGMENT ::

Counsel for the appellants : Shri M.V.Raja Ram

6th August, 2007

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PER G.S.SINGHVI, CJ

This appeal is directed against ad-interim injunction granted by the learned Single Judge whereby he restrained the appellants and official respondents from dispossessing the writ petitioners (respondent Nos.1 to 4 herein) from the land comprised in Survey No.178 of Chowdavaram Village, Guntur Rural Mandal, Guntur District.

We have heard Shri M.V.Raja Ram, who, as usual made considerable efforts to convince us to entertain the appeal and set aside the interlocutory order passed by the learned Single Judge, but keeping in view the nature of the order under challenge and the fact that the appellants can apply for vacating that order either by filing an application under Article 226(3) of the Constitution or otherwise, we do not see any justification to entertain the appeal.

With the above observation, the appeal is dismissed leaving the appellants free to apply for vacating the ad-interim order.

As a sequel to dismissal of the appeal, WAMP No.1219 of 2007 filed by the appellants for interim relief is disposed of as infructuous.

While disposing of the appeal in the manner indicated above, we deem it proper to take cognizance of the statement made by Shri M.V.Raja Ram that the applications filed under Article 226(3) of the Constitution are not listed by the Registry before the Court within 14 days. In the context of this statement, we request the learned counsel to furnish a list of the applications filed under Article 226(3) of the Constitution for vacating ad-interim order, which have not been listed before the Court.

De hors the above, we direct Registrar (Judicial) to instruct all the concerned officials of the Registry to ensure that every application filed under Article 226(3) of the Constitution is positively listed before the Court within a maximum period of seven days from the date of institution.

G.S.SINGHVI, CJ

6th August, 2007

C.V.NAGARJUNA REDDY, J

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